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MEMO ENDORSED

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By ECF
Honorable Valerie E. Caproni
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10004

Re: *United States v. Edwin Cortorreal*, 17 Cr. 438 (VEC)

Your Honor:

We write on behalf of both parties and further to the Court's directive on Monday to propose that Dr. Krane's testimony on January 19 begin at 1:00 pm. The parties and the witness are all available at that time and we believe that his testimony will be completed within that afternoon.

Additionally, Mr. Cortorreal informs us that, if the Court approves, he wishes to waive his presence at the hearing on January 19, 2023. It appears that his presence is not required because it is "only a . . . hearing on a question of law." Fed. R. Crim. P. 43(b)(3).

Thank you for your consideration.

Respectfully submitted,

/s/

Jean Barrett
Benjamin Silverman

cc: Counsel of record (by ECF)
Edwin Cortorreal (by U.S. mail)

Application GRANTED. The *Daubert* hearing will be continued on **Thursday, January 19, 2023** at 1:00 pm in Courtroom 443 of the Thurgood Marshall Courthouse at 40 Foley Square, New York, NY 10007.

SO ORDERED.



Date: 1/11/2023

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE